



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

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Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/479,920	06/07/95	BOEHM	214/226

LYON & LYON  
633 WEST FIFTH STREET  
47TH FLOOR  
LOS ANGELES CA 90071-2066

12M2/0224

EXAMINER

KILLOS, F

ART UNIT	PAPER NUMBER
1204	

DATE MAILED: 02/24/97

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

08/479,920 06/07/95


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1204

EXAMINER

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DATE MAILED:

 This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

- ☐ This application has been examined    ☐ Responsive to communication filed on \_\_\_\_\_    ☐ This action is made final.

 A shortened statutory period for response to this action is set to expire Three month(s), \_\_\_\_\_ days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133
**Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892.        | 2. <input type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449.             | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152.       |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____   |

**Part II SUMMARY OF ACTION**

1. ☒ Claims 33-45 are pending in the application.
- Of the above, claims \_\_\_\_\_ are withdrawn from consideration.
2. ☒ Claims 1-32 have been cancelled.
3. ☐ Claims 45 and 46 are allowed.
4. ☐ Claims 33-44 are rejected.
5. ☐ Claims \_\_\_\_\_ are objected to.
6. ☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on \_\_\_\_\_. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed \_\_\_\_\_, has been ☐ approved; ☐ disapproved (see explanation).
12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

EXAMINER'S ACTION

Art Unit: 1204

This is in response to the communication filed 19 November 1996.


The claims are 33-45 with claims 1-32 having been cancelled.

Claims 33-39 and 40-44 are again rejected under 35 USC 112 (par 2) as being overly broad and indefinite. Again, the term "ligand" is overly broad and indefinite. The claims should recite and be limited to the compounds i.e. ligands set forth in the specification.

Claims 45 and 46 are considered allowable.

Any inquiry concerning this communication should be directed to Examiner Paul Killos at telephone number (703) 308-0135.

KILLOS:tcj  
February 19, 1997

  
PAUL J. KILLOS  
PRIMARY EXAMINER  
ART UNIT 126  
124



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Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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08/479,920 07 June 1995 Boehm

214/226

EXAMINER
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Killos, Paul J

ART UNIT	PAPER NUMBER
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1204

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DATE MAILED:

### EXAMINER INTERVIEW SUMMARY RECORD

All participants (applicant, applicant's representative, PTO personnel):

(1) Hope Melville (3) \_\_\_\_\_

(2) Thomas Jurgensen (4) \_\_\_\_\_

Date of interview 08 January 1997

Type: ☐ Telephonic ☐ Personal (copy is given to ☐ applicant ☒ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☐ No. If yes, brief description: \_\_\_\_\_

Agreement ☐ was reached with respect to some or all of the claims in question. ☐ was not reached.

Claims discussed: \_\_\_\_\_

Identification of prior art discussed: \_\_\_\_\_

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: The rejection

under 35 USC 112 (par 2) will be maintained  
Examiner requested that claims be  
limited to generic disclosure of compounds

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☐ 1. It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph below has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., items 1-7 on the reverse side of this form). If a response to the last Office action has already been filed, then applicant is given one month from this interview date to provide a statement of the substance of the interview.

☐ 2. Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the substance of the interview unless box 1 above is also checked.

Examiner's Signature